OIPE IAP98
JAN 27 2006
PATENT & TRADEMARK OFFICE

PATENT
ATTORNEY DOCKET NO.: 47237.0417/00US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Tatsuo KAKIMOTO	)	Confirmation No.: 7977
	)	
Application No.: 10/069,381	)	Group Art Unit: 1638
	)	
Filed: February 26, 2002	)	Examiner: Stuart F. Baum
	)	
For: GENE CODING FOR PROTEIN INVOLVED IN CYTOKININ SIGNAL TRANSDUCTION	)	

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, MAIL STOP AMENDMENT
Randolph Building
Alexandria, VA 22314

Sir:

RESPONSE TRANSMITTAL FORM

1. Transmitted herewith is a response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed January 12, 2006.

2. Additional papers enclosed:

- ☐ Submission of Replacement Drawing Sheets
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, _____ references included
- ☐ Citations
- ☐ Change of Correspondence Address
- ☒ Declaration Pursuant to 37 C.F.R. §§ 1.821-1.825; Thirty-one (31) pages of Sequence Listing; One (1) CRF disc containing Sequence Listing.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months Requested	Fee for Extension	[Fee for Small Entity]
☐ one month	$ 120.00	$ 60.00
☐ two months	$ 450.00	$ 225.00
☐ three months	$ 1,020.00	$ 510.00
☐ four months	$ 1,590.00	$ 795.00

Extension of time fee due with this request: $.

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for _____months has already been secured and the fee paid therefor of $_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))		minus		0	x $50 each =	+ $00.00
Independent Claims (37 C.F.R.§1.16(b))		minus		0	x $200 each =	+ $00.00
[] First presentation of Multiple dependent claim(s)					$360.00	+ $0.00
SUB-TOTAL =						$00.00
Reduction by ½ for filing by a small entity						- $0.00
TOTAL FEE =						$00.00

6. Fee Payment

☐ Enclosed is Check No. _____ in the amount of .

☐ The Commissioner is hereby authorized to charge Deposit Account No. 50-0573 in the amount of _____.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0573.

Respectfully submitted,

DRINKER BIDDLE & REATH LLP

Dated: January 27, 2006

By: _____
Mercedes K. Meyer, Ph.D., Esq.
Reg. No. 44,939

Customer No. 055694
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IFW/1638

UNITED STATES PATENT AND TRADEMARK OFFICE

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JAN 27 2006
PATENT & TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,381	02/26/2002	Tatsuo Kakimoto	001560-417	7977

21839 7590 01/12/2006

BUCHANAN INGERSOLL PC
(INCLUDING BURNS, DOANE, SWECKER & MATHIS)
POST OFFICE BOX 1404
ALEXANDRIA, VA 22313-1404

EXAMINER	
BAUM, STUART F	

ART UNIT	PAPER NUMBER
1638	

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

URGENT

Sequence Listing due 2/12/06

RECEIVED
JAN 18 2006
DRINKER BIDDLE & REATH LLP

BUCHANAN INGERSOLL PC
JAN 13 2006
DOCKETED

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

APPLICATION CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10/069381			

OIPE
JAN 27 2006
IAP38
PATENT & TRADEMARK OFFICE

EXAMINER	
Stuart Baum	
ART UNIT	**PAPER**
1638	

DATE MAILED:

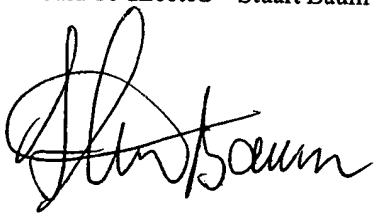
Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R.. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the one month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed Stuart Baum whose telephone number is 571-272-0792.



UNITED STATES PATENT AND TRADEMARK OFFICE

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